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SPECIAL COUNSEL FOR
SCOTT M. SEIDEL, TRUSTEE

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

In re:	§	
	§	Case No. 19-32329-mvl-7
JUPITER MARKETING & TRADING, LLC,	§	
	§	(Chapter 7)
Debtor.	§	
	§	
	§	
SCOTT M. SEIDEL, TRUSTEE,	§	
	§	
Plaintiff,	§	ADVERSARY PROCEEDING
	§	NO:
v.	§	
	§	
WILDCATTER RECLAMATION, LLC,	§	
	§	
Defendant.	§	

TRUSTEE’S ORIGINAL COMPLAINT

TO THE HONORABLE MICHELLE V. LARSON, U.S. BANKRUPTCY JUDGE:

COMES NOW Scott M. Seidel, Trustee (the “Trustee”), the trustee of Jupiter Marketing & Trading, LLC (the “Debtor”), the debtor in the above styled and numbered chapter 7 bankruptcy case (the “Bankruptcy Case”), and files this his *Trustee’s Original Complaint* (the “Complaint”), and, for cause and action against Wildcatter Reclamation, LLC (the “Defendant”), would respectfully show as follows:

I. PROCEDURAL BACKGROUND

1. On July 12, 2019 (the “Petition Date”), various petitioning creditors filed an involuntary petition against the Debtor, thereby initiating the Bankruptcy Case and creating the Debtor’s bankruptcy estate (the “Estate”).

2. The Court entered an order for relief on August 23, 2019.

3. The Trustee is the duly appointed trustee of the Debtor and the Estate.

4. The Court has jurisdiction over this Complaint under 28 U.S.C. § 1334. Such jurisdiction is core under 28 U.S.C. § 157(b)(2). To the extent that any matter in this Adversary Proceeding is not core, the Trustee consents to this Court’s entry of a final judgment over any and all such matters. Venue of this Adversary Proceeding before this Court is proper under 28 U.S.C. §§ 1408 and 1409.

II. PARTIES

5. The Trustee is the duly appointed Chapter 7 trustee of the Debtor and the Estate, and files this Complaint in such capacity only.

6. Defendant Wildcatter Reclamation, LLC is a limited liability company organized and existing under the laws of the State of Texas. Pursuant to Federal Rule of Bankruptcy Procedure 7004(b), it may be served with process in this Adversary Proceeding by and through: (i) its registered agent as follows: Wildcatter Reclamation, LLC, c/o Capital Corporate Services, Inc., Registered Agent, 206 E. 9th St. Suite 1300, Austin, Texas 78701; and (ii) its manager as follows: Wildcatter Reclamation, LLC, c/o Ted Murphy, Manager, 5420 LBJ Freeway, Suite 850, Dallas, Texas 75240.

III. FACTS

7. The Debtor is a Texas limited liability company. Formerly known as CMG Pipeline, LLC, the Debtor was incorporated in 2016.

8. On September 28, 2017, the Debtor changed its name to Jupiter Marketing & Trading, LLC. Upon information and belief, this was done in order to transition the Debtor from a pipeline company into a crude oil marketing and trading company.

9. At all times relevant to this Complaint, the Debtor, among other things, purchased, sold, and traded crude oil and other hydrocarbon products.

10. Upon information and belief, during the month of May, 2018, the Debtor sold to the Defendant, and the Defendant purchased from the Debtor, certain crude oil at Odessa Texas for which the Defendant was obligated to pay the Debtor \$23,480.28, as evidenced by that certain invoice attached hereto as Exhibit “A” and incorporated herein (the “May Amounts”).

11. Upon information and belief, during the month of July, 2018, the Debtor sold to the Defendant, and the Defendant purchased from the Debtor, certain crude oil at Mesa-Gail for which the Defendant was obligated to pay the Debtor \$124,751.34, as evidenced by that certain invoice attached hereto as Exhibit “B” and incorporated herein (the “July Amounts”).

12. Upon information and belief, during the month of August, 2018, the Debtor sold to the Defendant, and the Defendant purchased from the Debtor, certain crude oil at Mesa-Gail for which the Defendant was obligated to pay the Debtor \$30,647.68, as evidenced by that certain invoice attached hereto as Exhibit “C” and incorporated herein (the “August Amounts”).

13. The Defendant failed to pay the May Amounts, July Amounts, and the August Amounts, resulting in a present amount owing by the Defendant to the Debtor, and therefore to the Estate, of \$178,879.30 (the “Unpaid Amounts”).

14. The Debtor made written demand on the Defendant to pay the Unpaid Amounts on September 26, 2018. The Trustee made similar written demands on the Defendant to pay the Unpaid Amounts. Notwithstanding the same, the Defendant has failed to pay any of the Unpaid Amounts.

IV. CAUSES OF ACTION

COUNT 1: BREACH OF CONTRACT

15. The Trustee incorporates his allegations above.
16. All rights of the Debtor, including with respect to the Unpaid Amounts, became property of the Estate on the Petition Date to be asserted exclusively by the Trustee for the Estate.
17. An agreement existed between the Debtor and the Defendant whereby the Debtor sold to the Defendant oil, and the Defendant agreed to pay the Debtor for such oil.
18. The Debtor sold such oil and otherwise performed its obligations under said agreement, and the Defendant took delivery of such oil in May, July, and August, 2018.
19. The Defendant failed to pay the Debtor for such May, July, and August, 2018, oil, thus breaching its agreement with the Debtor.
20. The Debtor, and therefore the Estate, have suffered resulting damages in the amount of the Unpaid Amounts.
21. All preconditions to a recovery of attorney's fees and costs having been satisfied, the Trustee is entitled, in addition to all damages, to his reasonable attorney's fees and expenses incurred herein, including under section 38.001 of the Texas Civil Practice and Remedies Code.

V. PRAYER

WHEREFORE, PREMISES CONSIDERED, the Trustee prays that the Defendant be summoned to appear and to answer this Complaint and that, upon a trial on the merits, he have judgment against the Defendant as follows:

- a) money damages in the amount of \$178,879.30;
- b) reasonable attorney's fees and expenses incurred herein;
- c) prejudgment interest as allowed by law;
- d) postjudgment interest as allowed by law; and

e) such other and further relief to which he is entitled at law or in equity.

RESPECTFULLY SUBMITTED this 9th day of June, 2022.

MUNSCH HARDT KOPF & HARR, P.C.

By: /s/ Davor Rukavina

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Email: drukavina@munsch.com

**COUNSEL FOR SCOTT SEIDEL, CHAPTER 7
TRUSTEE**

EXHIBIT A



JUPITER MARKETING AND TRADING, LLC
440 Louisiana, Suite 700
Houston, TX 77002

Invoice

Invoice to:

Company: Wildcatter Reclamation, LLC
Attn: Paul Valdez
Address: 5420 LBJ Freeway Ste. 850
City: Dallas State: TX ZIP: 75240
Phone: 214-269-9905 FAX:

Date: 8/21/2018
Period: May-18
Ref: WIL-JMT052018
Due date: Upon Receipt

Volume per Day	Volume per Month	Description	Net Price	TOTAL												
12.39	371.81	Oil Sales At Odessa	63.1513	\$23,480.28												
<table><tr><th>Ticket Number</th><th>Ticket Date</th><th>Net Volume</th></tr><tr><td>L14321</td><td>5/27/2018</td><td>185.5</td></tr><tr><td>L14236</td><td>5/25/2018</td><td>161.73</td></tr><tr><td>L14231</td><td>5/25/2018</td><td>24.58</td></tr></table>					Ticket Number	Ticket Date	Net Volume	L14321	5/27/2018	185.5	L14236	5/25/2018	161.73	L14231	5/25/2018	24.58
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L14321	5/27/2018	185.5														
L14236	5/25/2018	161.73														
L14231	5/25/2018	24.58														
			SubTotal	\$23,480.28												
			Total Due JMT	\$23,480.28												

Wire to: Jupiter Marketing and Trading, LLC
Receiving Bank: Frost Bank
ABA/Routing: 114000093
Account #: 578697787

Wire to: Jupiter Marketing and Trading, LLC

Receiving Bank: Frost Bank

ABA/Routing: 114000093

Account #: 578697787

Please direct all inquiries to Alishia Harris: alishiaharris@jupitermtp.com 281-782-7106

EXHIBIT B



JUPITER MARKETING AND TRADING, LLC
440 Louisiana, Suite 700
Houston, TX 77002

Invoice

Invoice to:

Company: Wildcatter Reclamation, LLC
Attn: Paul Valdez
Address: 5420 LBJ Freeway Ste. 850
City: Dallas State: TX ZIP: 75240
Phone: 214-269-9905 FAX:

Date: 8/21/2018
Period: Jul-18
Ref: WIL-JMT072018
Due date: Upon Receipt

Volume per Day	Volume per Month	Description	Net Price	TOTAL																																				
66.74	2,069.03	Oil Sales to Mesa-Gall	60.2946	\$124,751.34																																				
<table><tr><th>Prod Month</th><th>Ticket Number</th><th>Net Volume</th></tr><tr><td>718</td><td>004057101</td><td>177.26</td></tr><tr><td>718</td><td>003210101</td><td>183.18</td></tr><tr><td>718</td><td>005320101</td><td>187.54</td></tr><tr><td>718</td><td>003397101</td><td>187.9</td></tr><tr><td>718</td><td>001601101</td><td>186.34</td></tr><tr><td>718</td><td>004374101</td><td>186.05</td></tr><tr><td>718</td><td>001602101</td><td>187.79</td></tr><tr><td>718</td><td>006404101</td><td>191.94</td></tr><tr><td>718</td><td>005505101</td><td>190.97</td></tr><tr><td>718</td><td>005888101</td><td>194.89</td></tr><tr><td>718</td><td>005688101</td><td>195.17</td></tr></table>					Prod Month	Ticket Number	Net Volume	718	004057101	177.26	718	003210101	183.18	718	005320101	187.54	718	003397101	187.9	718	001601101	186.34	718	004374101	186.05	718	001602101	187.79	718	006404101	191.94	718	005505101	190.97	718	005888101	194.89	718	005688101	195.17
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Wire to: Jupiter Marketing and Trading, LLC

Receiving Bank: Frost Bank

ABA/Routing: 114000093

Account #: 878697787

Wire to: Jupiter Marketing and Trading, LLC

Receiving Bank: Frost Bank

ABA/Routing: 114000693

Account #: 578697787

Alishia Harris: alishiaharris@jupitermtp.com 281-782-7106

EXHIBIT C



JUPITER MARKETING AND TRADING, LLC
440 Louisiana, Suite 700
Houston, TX 77002

Invoice

Invoice to:

Company: Wildcatter Reclamation, LLC
Attn: Paul Valdez
Address: 5420 LBJ Freeway Ste. 850
City: Dallas State: TX ZIP: 75240
Phone: 214-269-9905 FAX:

Date: 9/17/2018
Period: Aug-18
Ref: WIL-JMT082018
Due date: 9/20/2018

Volume per Day	Volume per Month	Description	Net Price	TOTAL
18.21	564.52	Oil Sales to Mesa-Gail	54.2898	\$30,647.68

Wire to: Jupiter Marketing and Trading, LLC
Receiving Bank: Frost Bank
ABA/Routing: 114000093
Account #: 878697787

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